



FINAL ENGINEER'S REPORT FOR
SUNNYVALE DOWNTOWN PARKING
MAINTENANCE DISTRICT

Fiscal Years 2002-03 & 2003-04



Prepared for:
CITY OF SUNNYVALE
SUNNYVALE, CA

Prepared by:
Francisco & Associates, Inc.

January 14, 2003

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Marvin Rose
Director of Public Works

Mary Bradley
Director of Finance

CONSULTANTS

Francisco & Associates, Inc.
Assessment Engineer

The undersigned, acting on behalf of *Francisco & Associates, Inc.*, respectfully submits the enclosed Engineer's Report as directed by City Council of the City of Sunnyvale pursuant to the provisions of Ordinance No 2576-98, adopted on April 21, 1998. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: _____

By: _____
Joseph A. Francisco, P.E.
R.C.E. No. 40688

I HEREBY CERTIFY that the enclosed Engineer's Report, including the Assessment Roll and Assessment District Diagram, thereto attached, was filed with me on the ____ day of _____, 2003.

Susan Kitchens
City Clerk
City of Sunnyvale
Sunnyvale, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment District Diagram, thereto attached, was approved and confirmed by the City Council of the City of Sunnyvale, on the ____ day of _____, 2003.

Susan Kitchens
City Clerk
City of Sunnyvale
Sunnyvale, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, including the Assessment Roll and the Assessment District Diagram, thereto attached, was filed with the County Auditor of the County of Santa Clara on the ____ day of _____, 2003.

Joseph A. Francisco
Francisco & Associates, Inc.

By: _____

SECTION I

INTRODUCTION

ENGINEER'S REPORT

SUNNYVALE DOWNTOWN PARKING MAINTENANCE DISTRICT

FISCAL YEARS 2002-03 & 2003-04

HISTORY

On September 1, 1964 the City Council adopted Resolution No. 6643, which authorized the City to levy an ad-valorem assessment on all taxable properties within the boundaries of the Sunnyvale Downtown Parking Assessment District. This ad-valorem assessment was used to pay for the operation and maintenance of existing public parking facilities and the debt service payments associated with the acquisition and construction of various public-parking facilities within the boundaries of the Sunnyvale Downtown Parking Assessment District.

IMPACTS OF PROPOSITION 218

On November 5, 1996, California voters approved Proposition 218, entitled the "Right to Vote On Taxes Act", which added Articles XIII C and XIII D to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts. Commencing in FY 1997-98, the City can no longer levy assessments, based upon each parcel's assessed valuation (ad-valorem), to fund the annual operation and maintenance of parking facilities. Assessments to fund these facilities must now be spread to each parcel based upon their proportionate share of benefit that they receive from those parking facilities. Because the previous methodology did not allocate the costs to each parcel based upon their proportionate share of benefit the assessment spread methodology had to be revised. The City may however continue to levy the ad-valorem assessments to pay for the annual debt service payments associated with the acquisition and construction of previously constructed public parking facilities.

Proposition 218 requires that all affected property owners be given the opportunity to vote either in favor or against the proposed assessment. Therefore, in order to comply with the requirements of Proposition 218 and levy assessments for Fiscal Years 2002-03 & 2003-04, the City will implement the following procedures:

- 1) Every property owner subject to the proposed assessment will receive a ballot in the mail allowing the property owner to vote on whether or not to approve the levying of assessments within the proposed Assessment District. The ballots will be accompanied by a public notice describing the total assessment, the individual property owner's assessment, the duration of the assessment, the reason for the assessment and the basis upon which the assessment was calculated.

- 2) The ballots returned during the 45 days after the mailing and before the close of the public input portion of the public hearing will be tabulated to determine whether a majority protest against the assessment exists. A majority protest exists if over 50% of the ballots received, weighted by assessment amount, oppose the levy of assessment.

If a majority of those ballots are opposed to the assessment, the City Council cannot levy the proposed assessments. If a majority of the ballots received prior to the close of the Public Hearing, weighted by assessment amount, do not oppose the assessment, the City Council may choose to levy the assessment for Fiscal Years 2002-03 & 2003-04.

- 3) In order to comply with the Provisions of Proposition 218, if publicly owned parcels benefit from the parking facilities, they will be assessed.

SECTION II

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF
ORDINANCE NO. 2576-98 OF THE CITY OF SUNNYVALE**

FISCAL YEARS 2002-03 & 2003-04

Pursuant to Ordinance No. 2576-98 and in accordance with the Resolution of Intention, being Resolution No. _____, adopted November 26, 2002, by the City Council of the City of Sunnyvale, I, Joseph A. Francisco, the duly appointed Engineer of Work and acting for *Francisco & Associates, Inc.*, Assessment and Administration Engineer for the District, submit the following Report, consisting of Section I (Introduction) above, which is largely based on information provided by the City of Sunnyvale and this Section II, which consists of five (5) parts, as follows:

PART A: DESCRIPTION OF IMPROVEMENTS

This part describes the improvements in the District. Plans and specifications for the improvements listed in Part A are on file in the Office of the Clerk of the City of Sunnyvale. Such plans and specifications are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the costs of the proposed improvements for Fiscal Years 2002-03 & 2003-04, including incidental costs and expenses in connection therewith. This estimate is also on file in the Office of the Clerk of the City of Sunnyvale.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates, by reference, the "Assessment District Diagram", which is a diagram of the District showing the exterior boundaries of the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer and is on file in the Office of the Clerk of the City of Sunnyvale. The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Assessor of the County of Santa Clara for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENT

This part describes the method of apportionment of assessments, based upon each parcel's current use, within the boundaries of the District. The apportionment of assessments to each parcel is in proportion to the estimated benefits the parcel receives from the improvements.

PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL

This part contains a list of the Santa Clara County Assessor's Parcel Numbers and the net amount to be assessed upon benefited lands within the Assessment District for Fiscal Years 2002-03 & 2003-04.

The Assessment Roll is filed in the Office of the Clerk of the City of Sunnyvale and is incorporated in Appendix "B" of this Report. The list is keyed to the records of the Assessor of the County of Santa Clara, which are incorporated herein by reference.

PART A

DESCRIPTION OF IMPROVEMENTS

Parking Facilities:

The parking facility improvements that can be operated, maintained and serviced by the District consist of the public parking facilities shown in Appendix "A" of this report.

PART B

ESTIMATE OF COST

Ordinance No. 2576-98 provides that the total cost of construction, operation, maintenance and servicing of public parking facilities can be recovered by the levying of assessments.

Operation, maintenance and servicing costs include, but are not limited to; the repair and replacement of existing parking facilities, personnel, electrical energy, utilities such as water, materials, contractual services and other items necessary or appropriate for the parking facilities. Incidental expenses include the administration of the District, engineering fees, legal fees, printing, posting and mailing of notices. Insurance and all other costs associated with the annual collection process are also included.

The construction, operation, maintenance and servicing costs for Fiscal Years 2002-03 & 2003-04 are summarized below in Tables No. 1 & 2 respectively. These cost estimates were provided by the City of Sunnyvale.

Table 1 City of Sunnyvale Downtown Parking Maintenance District Fiscal Year 2002-03 Budget			
	Assessment	Property Tax & Other Revenue	Total
<u>Revenues:</u>			
Projected FY 2002-03 Revenue	\$148,397.76	\$72,800.00	\$221,197.76
Transfer from Reserve Fund	<u>\$40,379.24</u>	<u>\$0.00</u>	<u>\$40,379.24</u>
Total FY 2002-03 Revenues	\$188,777.00	\$72,800.00	\$261,577.00
<u>Expenses:</u>			
Parking Lot Debt Service	\$0.00	\$72,800.00	\$72,800.00
Parking Lot Maintenance	<u>\$188,777.00</u>	<u>\$0.00</u>	<u>\$188,777.00</u>
Total FY 2002-03 Expenses	\$188,777.00	\$72,800.00	\$261,577.00

Table 2 City of Sunnyvale Downtown Parking Maintenance District Fiscal Year 2003-04 Budget			
	Assessment	Property Tax & Other Revenue	Total
<u>Revenues:</u>			
Projected FY 2003-04 Revenue	\$148,397.76	\$75,950.00	\$224,347.76
Transfer from Reserve Fund	<u>\$47,362.24</u>	<u>\$0.00</u>	<u>\$47,362.24</u>
Total FY 2003-04 Revenues	\$195,760.00	\$75,950.00	\$271,710.00
<u>Expenses:</u>			
Parking Lot Debt Service	\$0.00	\$75,950.00	\$75,950.00
Parking Lot Maintenance	<u>\$195,760.00</u>	<u>\$0.00</u>	<u>\$195,760.00</u>
Total FY 2003-04 Expenses	\$195,760.00	\$75,950.00	\$271,710.00

Ordinance No. 2576-98 requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessments shall be used only for the purpose as stated herein. The City of Sunnyvale or, subject to the discretionary approval of the City of Sunnyvale City Council, any other person may contribute to the District to reduce assessments. Any balance remaining on July 1 must be carried over to the next fiscal year unless the funds are being accumulated for future capital improvements or operating reserves.

PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are within the boundaries of the City of Sunnyvale. A diagram (the "Assessment District Diagram") of the District showing the exterior boundaries of the District has been prepared by the Engineer of Work and is on file in the Office of the Clerk of the City of Sunnyvale. A detailed description of the lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Assessor of the County of Santa Clara for Fiscal Year 2002-03. The Assessor's maps for the lots and parcels within the District are incorporated by reference herein and made part of this Report. A reduced copy of the Assessment Diagram is shown in Appendix "A" of this Report. The full-sized copy of the Assessment Diagram, as on file in the Office of the Clerk of the City of Sunnyvale, is incorporated in this Report by reference.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Ordinance No. 2576-98 permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, operation, maintenance and servicing of public parking facilities.

Ordinance No. 2576-98 requires that the assessments must be levied according to benefit rather than according to assessed value. In addition, Article XIIIID, Section 4(a) of the California Constitution, limits the amount of any assessment to the proportional special benefit conferred on the property.

Because assessments are levied on the basis of benefit, they are not considered to be a tax governed by Article XIII A of the California Constitution.

Ordinance No. 2576-98 permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location and extent of the improvements, the various areas will receive different degrees of benefit from the improvement".

Article XIIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial and institutional activities.

PUBLIC PARKING BENEFIT ANALYSIS

Property owners within the District receive a special and direct benefit from the District parking facilities because this allows property owners to develop or redevelop their properties without providing needed on-site parking to support their development. This Parking District allows property owners to maximize development capabilities for their parcels (i.e. being able to construct additional building square footage rather than having this space allocated to on-site parking to support their development). The ability to maximize a parcel's development capabilities increases the value of these properties within the boundaries of the District.

BENEFIT ASSESSMENT METHODOLOGY

The total cost to operate, maintain and service the parking facilities are apportioned to each parcel within the boundaries of the District in accordance with a methodology that is consistent with standard assessment engineering practices. The method for spreading the costs to each parcel is based on each parcel's pro-rata share of deficit parking spaces. The number of deficit parking spaces for each parcel is equal to the number of parking spaces needed per the City's Parking Demand Guidelines (see table below) less the number of existing parking spaces located on their parcel.

<p>Table 3 City of Sunnyvale Downtown Parking Maintenance District Parking Demand Guidelines</p>	
Current Type of Use	One Parking Space Per
Apartments (1 Bedrooms)	0.66667 Units
Apartments (2-3 Bedrooms)	0.57143 Units
Churches	3 Seats
Condos	0.50 Units
Financial Institutions	180 sq. ft.
Research & Development	500 sq. ft.
General Offices (Free Standing)	250 sq. ft.
General Offices (In Center)	250 sq. ft.
Hotels	Rooms + Employees
Industrial Warehouses	2,500 sq. ft.
Medical/Dental	180 sq. ft.
Nightclubs and Bars	50 sq. ft.
Other Uses	180 sq. ft.
Repair Garages	180 sq. ft.
Restaurants w/ Bars or Fast Food	75 sq. ft.
Restaurants w/o Bars	110 sq. ft.
Resthomes	2.25 Units
Retail	250 sq. ft.
Senior Citizen Apartments	2.0 Units + Employees
Shopping Center	225 sq. ft.

Because of the varying size and location of parking facilities located within the District, special benefit zones have been established to accurately track the operation and maintenance costs and assess only those properties that benefit from the improvements located within their respective benefit zone. All parcels within the boundaries of the District are located within either Benefit Zone No. 1, 2, 3 or 4. Properties located within each benefit zone will only be required to pay for the operation and maintenance of the parking facilities located within their respective benefit zone. The total cost to operate and maintain the parking facilities within each benefit zone will be spread to each parcel within that benefit zone based upon their

proportionate number of deficit parking spaces. The total operation and maintenance cost for each benefit zone for Fiscal Years 2002-03 & 2003-04 are as follows:

Table No. 4 Maintenance Budgets per Benefit Zone		
Benefit Zone No.	FY 2002-03 Maintenance Budget	FY 2003-04 Maintenance Budget
1	\$2,290.55	\$2,375.27
2	\$21,182.88	\$21,966.45
3	\$141,077.29	\$146,295.85
4	<u>\$24,226.28</u>	<u>\$25,122.43</u>
Total	\$188,777.00	\$195,760.00

In future years (FY 2004-05 and on) City staff will determine how much it will cost to operate and maintain the public parking facilities within the District for each benefit zone. Parcels will be assessed (assumes property owner voter approval) based upon their pro-rata share of the number of parking spaces they are in deficit of based upon the City of Sunnyvale Parking Demand Guidelines. In future years (FY 2004-05 and on) City staff will identify the use of each parcel and determine the number of required parking spaces needed to satisfy the City of Sunnyvale Parking Demand Guidelines. If the parcel has fewer parking spaces than that which is required under the City of Sunnyvale Parking Demand Guidelines, then they are considered in deficit.

For example, if an office building has 25,000 square feet of office space, the City of Sunnyvale would require one (1) parking space for every 250 square feet of office space. Therefore, in this case, the office building would require 100 parking spaces (25,000 sq. ft./ 1 parking space per 250 sq. ft.). If the property owner for the office building had 100 or more parking spaces then the property owner would not be placing a demand for additional parking and therefore would not be assessed. However, if the property owner only had 70 on-site parking spaces then there would be a parking deficit of 30 parking spaces for that particular parcel.

Based upon the annual budget needed to operate and maintain the existing public parking facilities for Fiscal Years 2002-03 & 2003-04, the assessment rates per deficit parking space for each benefit zone are summarized below in Tables No. 5 & 6 respectively.

Table No. 5 Assessment Rates per Benefit Zone					
Benefit Zone No.	Total Deficit Parking Demand	FY 2002-03 Maintenance Budget	FY 2002-03 Reserve Fund Transfer	FY 2002-03 Assessment Revenue	FY 2002-03 Assessment Per Deficit Space
1	94.67	\$2,290.55	\$489.95	\$1,800.60	\$19.02
2	172.38	\$21,182.88	\$4,531.00	\$16,651.88	\$96.60
3	2,012.36	\$141,077.29	\$30,176.31	\$110,900.98	\$55.11
4	<u>634.81</u>	<u>\$24,226.28</u>	<u>\$5,181.98</u>	<u>\$19,044.30</u>	\$30.00
Total	2,914.22	\$188,777.00	\$40,379.24	\$148,397.76	

Table No. 6 Assessment Rates per Benefit Zone					
Benefit Zone No.	Total Deficit Parking Demand	FY 2003-04 Maintenance Budget	FY 2003-04 Reserve Fund Transfer	FY 2003-04 Assessment Revenue	FY 2003-04 Assessment Per Deficit Space
1	94.67	\$2,375.27	\$574.67	\$1,800.60	\$19.02
2	172.38	\$21,966.45	\$5,314.57	\$16,651.88	\$96.60
3	2,012.36	\$146,295.85	\$35,394.87	\$110,900.98	\$55.11
4	<u>634.81</u>	<u>\$25,122.43</u>	<u>\$6,078.13</u>	<u>\$19,044.30</u>	\$30.00
Total	2,914.22	\$195,760.00	\$47,362.24	\$148,397.76	

The proposed assessment rate cannot be increased in future years without the support of a majority of the property owners.

Exempt Parcels. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial and institutional activities. A variance may be granted by the District for any parcel determined not benefited by the assessment.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

A list of names and addresses of the owners of all lots and parcels of land within the District was compiled from the last equalized secured property tax assessment roll of the Assessor of the County of Santa Clara. Such list was further defined by excluding from it all parcels that are not being assessed by the District, and as so defined, is a part of the Assessment Roll. The Assessment Roll is keyed to Assessor's parcel numbers and is Appendix "B" to this Report.

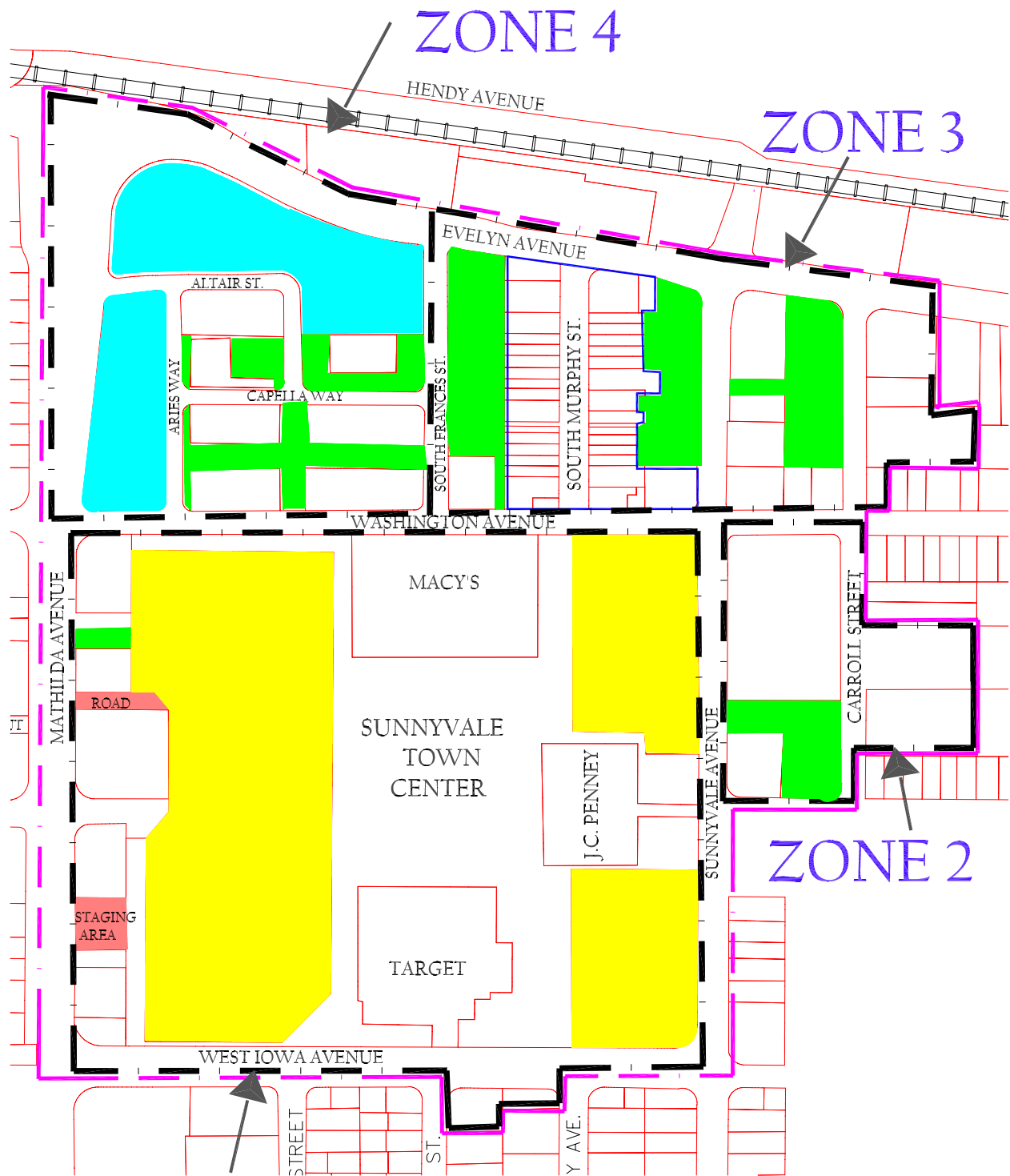
The total proposed assessment for Fiscal Years 2002-03 & 2003-04 is \$148,397.76 for each fiscal year

APPENDIX A

FY 2002-03 & 2003-04 ASSESSMENT DISTRICT DIAGRAM

CITY OF SUNNYVALE DOWNTOWN PARKING DISTRICT MAP

FISCAL YEARS 2002-03 & 2003-04



LEGEND:

- EXISTING PARKING DISTRICT BOUNDARY
- ZONE BOUNDARY
- PARKING DISTRICT LOTS
- LOTS UNDER CONSTRUCTION
- MALL PARKING LOTS
- REDEVELOPMENT AGENCY



APPENDIX B

FY 2002-03 ASSESSMENT ROLL CALCULATIONS

**City of Sunnyvale
Downtown Parking Maintenance District
Assessment Roll
Fiscal Years 2002-03 & 2003-04**

Assessor Parcel Number	Property Owner Name	Property Owner Situs Address	Benefit Zone	Total Parking Demand	Existing On-Site Parking	Remaining Parking Demand	FY 2002-03 Assessment	FY 2003-04 Assessment
209 05 011	SMITH GEORGE W TRUSTEE	297 E WASHINGTON	3	19.90	8.00	11.90	\$655.80	\$655.80
209 05 012	HILL FRED TRUSTEE & ET AL	217 E WASHINGTON	3	28.26	4.00	24.26	\$1,336.96	\$1,336.96
209 05 013	DOAN DZUNG D AND HOA Q	205 E WASHINGTON	3	19.64	24.00	0.00	\$0.00	\$0.00
209 05 014	HOTEL OPERATING CORP	170 S SUNNYVALE	3	121.00	0.00	121.00	\$6,668.30	\$6,668.30
209 05 033	ASSEMBLIES OF GOD NTHRN CA & NV DIST COUNC	305 E WASHINGTON	3	60.00	0.00	60.00	\$3,306.60	\$3,306.60
209 05 034	CARROLL STREET ASSOCIATES	174 CARROLL	3	64.00	34.00	30.00	\$1,653.30	\$1,653.30
209 05 036	GILMORE PEARL M L TRUSTEE	120 CARROLL	3	54.80	0.00	54.80	\$3,020.02	\$3,020.02
209 05 039	ACCOLA RALPH A JR AND MARCIA L	106 S SUNNYVALE	3	75.29	7.00	68.29	\$3,763.46	\$3,763.46
209 05 040	WHITFORD THOMAS E AND WORSHAM-WHITFORD CANE	130 S SUNNYVALE	3	8.29	0.00	8.29	\$456.86	\$456.86
209 05 048	KU WEI LIN	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 049	SACARELOS DAVID M	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 050	NADER-ESFAHANI LILI	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 051	NEWMAN MORRIS D TRUSTEE	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 052	MA GRACE C	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 053	PAUL & RACHEL TAYLOR	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 054	DOUGLAS W. LAMAR	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 05 055	O'CARROLL CONOR	134 CARROLL	3	2.00	1.00	1.00	\$55.10	\$55.10
209 06 003	HUBBARD CARMEN S	123 S MURPHY	3	26.14	0.00	26.14	\$1,440.58	\$1,440.58
209 06 004	HUBBARD CARMEN A	133 S MURPHY	3	14.50	0.00	14.50	\$799.10	\$799.10
209 06 005	VISTICA ANNE M	135 S MURPHY	3	35.00	0.00	35.00	\$1,928.84	\$1,928.84
209 06 006	PODGURSKI JOHN AND ANGELIKA	139 S MURPHY	3	32.47	0.00	32.47	\$1,789.42	\$1,789.42
209 06 007	THORPE CHRISTOPHER A	141 S MURPHY	3	76.27	0.00	76.27	\$4,203.24	\$4,203.24
209 06 008	GERA NICHOLAS	151 S MURPHY	3	39.99	0.00	39.99	\$2,203.84	\$2,203.84
209 06 009	GERA NICHOLAS M AND SUEANNE	155 MURPHY	3	66.67	0.00	66.67	\$3,674.18	\$3,674.18
209 06 010	HUNAN GOURMET, A CALIF GP	163 S MURPHY	3	54.02	0.00	54.02	\$2,977.04	\$2,977.04
209 06 011	BOURSALIAN HRAIR AND ARAKNAZ TRUSTEE	165 S MURPHY	3	6.32	0.00	6.32	\$348.30	\$348.30
209 06 012	ACEVEDO JOSE AND ESPERANZA	173 S MURPHY	3	13.64	0.00	13.64	\$751.70	\$751.70
209 06 013	WOO CHUCK W AND LILY L TRUSTEE	175 S MURPHY	3	35.43	0.00	35.43	\$1,952.54	\$1,952.54
209 06 014	WOO CHUCK W AND LILY LAI F TRUSTEE	181 S MURPHY	3	40.67	0.00	40.67	\$2,241.32	\$2,241.32
209 06 016	YOUNG PATRICK	195 S MURPHY	3	144.90	0.00	144.90	\$7,985.44	\$7,985.44
209 06 017	ESCALANTE NANCY G TRUSTEE	199 S MURPHY	3	12.00	0.00	12.00	\$661.32	\$661.32
209 06 018	ARMANINI ALBERT L TRUSTEE & ET AL	165 W WASHINGTON	3	75.55	0.00	75.55	\$4,163.56	\$4,163.56
209 06 022	PERRY MARIA L TRUSTEE	101 S MURPHY	3	48.57	0.00	48.57	\$2,676.68	\$2,676.68
209 06 025	KIRKISH FRED A H TTEE TR DATED 5-11-87 ET AL	141 E WASHINGTON	3	1.80	0.00	1.80	\$99.20	\$99.20
209 06 026	DUBROVNIK ASSOCIATES INC	129-198 S MURPHY	3	32.00	0.00	32.00	\$1,763.52	\$1,763.52
209 06 027	CALI CAROL M ET AL	190 S MURPHY	3	60.85	0.00	60.85	\$3,353.44	\$3,353.44
209 06 028	KLOCKO WALTER W AND BRENDA	182 S MURPHY	3	9.64	0.00	9.64	\$531.26	\$531.26
209 06 029	WHITFIELD WENDELL AND MARY A ET AL	176 S MURPHY	3	25.45	0.00	25.45	\$1,402.54	\$1,402.54
209 06 030	TAKATSUKA SUSUMU	172 S MURPHY	3	17.37	0.00	17.37	\$957.26	\$957.26
209 06 031	CISNEROS TOMAS AND BEATRIZ V TRUSTEE	168 S MURPHY	3	17.37	0.00	17.37	\$957.26	\$957.26

**City of Sunnyvale
Downtown Parking Maintenance District
Assessment Roll
Fiscal Years 2002-03 & 2003-04**

Assessor Parcel Number	Property Owner Name	Property Owner Situs Address	Benefit Zone	Total Parking Demand	Existing On-Site Parking	Remaining Parking Demand	FY 2002-03 Assessment	FY 2003-04 Assessment
209 06 034	SUN & SONS LP	146 S MURPHY	3	137.50	0.00	137.50	\$7,577.62	\$7,577.62
209 06 037	BILIC ANTE	130 S MURPHY	3	36.00	0.00	36.00	\$1,983.96	\$1,983.96
209 06 038	UNLU ISMAIL	124 S MURPHY	3	20.45	0.00	20.45	\$1,127.00	\$1,127.00
209 06 059	MUSTANG INVESTMENT GROUP	160 S MURPHY	3	19.24	0.00	19.24	\$1,060.32	\$1,060.32
209 06 070	PATRICK YOUNG/MALCOLM JR. & PAUL McDONALD	114 S MURPHY	3	7.24	0.00	7.24	\$399.00	\$399.00
209 06 072	GOODWILL INDUSTRIES OF SANTA CLARA COUNTY	151 E WASHINGTON	3	36.72	0.00	36.72	\$2,023.64	\$2,023.64
209 06 075	DUBROVNIK ASSOCIATES INC	100 S MURPHY	3	163.71	0.00	163.71	\$9,022.06	\$9,022.06
209 06 077	GERA NICHOLAS AND SUEANNE ET AL	111 S MURPHY	3	160.00	0.00	160.00	\$8,817.60	\$8,817.60
209 06 079	MUSTANG INVESTMENT GROUP	156 S MURPHY	3	39.00	0.00	39.00	\$2,149.28	\$2,149.28
209 06 080	WHITFIELD WENDELL L AND MARY A ET AL	187 S MURPHY	3	16.67	0.00	16.67	\$918.68	\$918.68
209 06 081	BILIC ANTE	140 S MURPHY	3	102.67	0.00	102.67	\$5,658.14	\$5,658.14
209 07 003	DUBROVNIK ASSOCIATES, INC. C/O MARCO & KLARA GER	711 CAPELLA	4	57.04	0.00	57.04	\$1,711.20	\$1,711.20
209 07 007	KASIK MARTIN A & SHARON K.	160 ALTAIR	4	54.33	20.00	34.33	\$1,029.90	\$1,029.90
209 07 009	DUBROVNIK ASSOCIATES, INC. C/O MARCO & KLARA GER	601 CAPELLA	4	85.00	0.00	85.00	\$2,550.00	\$2,550.00
209 07 014	DUBROVNIK ASSOCIATES, INC. C/O MARCO & KLARA GER	407 TOWN & COUNTRY VILLAGE	4	50.15	0.00	50.15	\$1,504.50	\$1,504.50
209 07 016	DUBROVNIK ASSOCIATES, INC. C/O MARCO & KLARA GER	205 TOWN & COUNTRY VILLAGE	4	68.34	0.00	68.34	\$2,050.20	\$2,050.20
209 07 017	DUBROVNIK ASSOCIATES, INC. C/O MARCO & KLARA GER	104 TOWN & COUNTRY VILLAGE	4	74.95	0.00	74.95	\$2,248.50	\$2,248.50
209 07 018	DUBROVNIK ASSOCIATES, INC. C/O MARCO & KLARA GER	301 TOWN & COUNTRY VILLAGE	4	55.00	0.00	55.00	\$1,650.00	\$1,650.00
209 07 022	M-F DOWNTOWN SVALE LLC	190 MATHILDA	4	432.00	365.00	67.00	\$2,010.00	\$2,010.00
209 07 023	M-F DOWNTOWN SVALE LLC	150 MATHILDA	4	372.00	314.00	58.00	\$1,740.00	\$1,740.00
209 07 024	M-F DOWNTOWN SVALE LLC	100 MATHILDA	4	546.00	461.00	85.00	\$2,550.00	\$2,550.00
209 10 050	PACIFIC BELL	234 CARROLL	2	56.49	54.00	2.49	\$240.52	\$240.52
209 10 061	CHANG YUN SO & HAI RAN	298 S SUNNYVALE	2	108.00	0.00	108.00	\$10,432.80	\$10,432.80
209 10 063	PLAZA ASSOCIATES	200 E WASHINGTON	2	95.89	34.00	61.89	\$5,978.56	\$5,978.56
209 10 064	HEALTH CARE PROP INVSTRS INC	238 CARROLL	2	56.15	62.00	0.00	\$0.00	\$0.00
209 26 001	ABSAR ILYAS	405 S MURPHY	1	2.22	0.00	2.22	\$42.22	\$42.22
209 26 066	AUCLAIR GARY F AND JACQUELINE B TRUSTEE & E	150 W IOWA	1	47.58	9.00	38.58	\$733.78	\$733.78
209 34 002	ROMANO GLADYS E TRUSTEE & ET AL	380 S MATHILDA	1	34.00	18.00	16.00	\$304.32	\$304.32
209 34 009	WL PARTNERSHIP	250 MATHILDA	1	37.87	0.00	37.87	\$720.28	\$720.28
209 34 018	SUNNYVALE LLC	204 MATHILDA	1	187.42	196.92	0.00	\$0.00	\$0.00
209 35 001	SUN TOWN/CENTER PROPERTIES CORP	200 W WASHINGTON	1	711.20	747.25	0.00	\$0.00	\$0.00
209 35 005	TARGET CORPORATION	211 W IOWA	1	638.30	670.65	0.00	\$0.00	\$0.00
209 35 007	J.C. PENNEY PROPERTIES, INC.	301 S SUNNYVALE	1	410.69	431.51	0.00	\$0.00	\$0.00
209 35 012	SUNNYVALE LLC	1303-1394 TOWN CENTER	1	<u>1,239.82</u>	<u>1,302.67</u>	<u>0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total				7,513.44	4,771.00	2,914.22	\$148,397.76	\$148,397.76

APPENDIX C

ORDINANCE NO. 2576-98

ORDINANCE NO. 2576-98

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING
CHAPTER 14.26 TO THE SUNNYVALE MUNICIPAL CODE RELATING TO
ALTERNATIVE MAINTENANCE DISTRICTS**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 14.26 ADDED. A new chapter, Chapter 14.26, is hereby added to the Sunnyvale Municipal Code to read:

**CHAPTER 14.26
ALTERNATIVE MAINTENANCE DISTRICTS**

14.26.010. Short title.

The procedures provided in this chapter are alternative.

14.26.020. Chapter not exclusive.

This chapter is not exclusive, but any proceeding under an act or general law may be supplemented by this chapter. The words "general law" or the word "act" mean an enactment of the legislature of the State of California. Unless herein otherwise provided, any reference to any general law or act shall apply to the law or act as now or hereafter amended or codified.

14.26.030. Chapter superior.

The provisions of the chapter shall be controlling over the provisions of any general law or act in conflict with this chapter in any proceeding taken pursuant hereto.

14.26.040. Authority for adoption.

This chapter is adopted pursuant to Section 400 of Article IV of the Charter of the City of Sunnyvale. In proceedings had pursuant to this chapter which are a municipal affair, the general laws referred to herein are deemed a part of this chapter.

14.26.050. Severability.

In the event any portion of this chapter shall be declared illegal, unenforceable or unconstitutional, such provision shall be deemed severable from the rest of the provisions of this chapter.

14.26.060. Maintenance districts.

Whenever the city council determines that the costs and expenses of maintaining and operating any or all public improvements of a local

nature have not been adequately financed and provided for, proceeding therefore may be undertaken pursuant to this chapter.

14.26.070. Council powers.

The city council may, in its resolution declaring its intention to order work done or improvements made or by separate resolution, declare its intention to order that the costs and expenses of maintaining and operating any or all public improvements of a local nature, including the cost of necessary repairs, replacements, fuel, power, electrical current, care supervision, and any and all other items necessary for the proper maintenance and operation thereof, shall be assessed, either partly or wholly, upon such district as the city council shall determine will be benefited by the maintenance and operation of the public improvements proposed to be maintained; the amounts so assessed to be collected in the same manner and by the same officers as taxes for city purposes are collected.

14.26.080. Applicable general law.

When the city council has declared its intention pursuant to Section 14.26.070, the applicable provisions of Part 2 of Division 15 of the Streets and Highways Code of the State of California (Section 22500 et seq.) shall apply, excepting as modified by the following:

- (a) "Maintain" or "maintenance" shall be deemed to include the maintenance of any or all public improvements of a local nature.
- (b) Except for the creation of new maintenance districts or annexations to existing maintenance districts, no separate diagram shall be required in each year and it shall be sufficient to refer to the existing diagram on file with the city clerk with suitable changes upon the record, annually, to update such diagram.
- (c) "Annexation" shall be deemed to include annexation of any maintenance districts existing as of the effective date of the ordinance creating this code.
- (d) For purposes of the collection of assessments or any portion thereof upon the general tax roll, it shall be sufficient for the city clerk to provide to the county auditor a certified copy of the assessment roll without supplying a copy of the assessment diagram.

SECTION 2. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that a Notice of Exemption be filed with the Santa Clara County Clerk in accordance with Section 14 of the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 193-86.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the city council held April 7, 1998, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on April 21, 1998, by following vote:

AYES:

NOES:

ABSENT:

ATTEST:

City Clerk

APPROVED:

By _____

Deputy City Clerk

Date:

Mayor

Date: